THE HON'BLE SRI JUSTICE C.V. RAMULU

Monday, 13th November, 2006

W.P.No.19084 of 2004

Between:

Malereddi Ramadevi … Petitioner

and

The Revenue Divisional Officer,
Guntur Town, Guntur
District – 522 004 … Respondent

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.19084 of 2004

ORAL ORDER:

This Writ Petition is filed by one Malereddi Ramadevi, W/o Sambi Reddy claiming to be the Organizer of DWACRA Group of Women in the village of Lankelakurapadu, Muppala Mandal, Guntur District, challenging the notification issued by the respondent-Revenue Divisional Officer on 16-9-2004 inviting applications from the persons belonging to Scheduled Caste community for filling up the vacancy of fair price shop dealership of Lankelakurapadu village.

It is the contention of the petitioner that she is the leader of a DWACRA group and the fair price shop in question was allotted to her on temporary basis. The impugned notification calling for applications from the Scheduled Caste candidates for filling up the fair price shop in question on permanent basis is arbitrary and illegal.

A detailed counter affidavit has been filed by the respondent stating that the petitioner was appointed as a dealer purely on temporary basis and also subject to the outcome of the appeal filed by the previous dealer and her dealership can be terminated without any notice, if the appointing authority desires to do so. She was only a temporary dealer. As per the roaster system, it was felt by the Department to earmark the said vacancy for Scheduled Caste candidates. Seven applications have been received and out of them four candidates attended the interview and one Myla Sobhan Babu, S/o Nageswara Rao was selected and appointed as permanent fair

price shop dealer of Lankelakurapadu village vide Proceedings Rc.No.1013/03-B, dated 11-10-2004 of the respondent.

Heard both sides and gone through the entire material made available on record.

Once the vacancy is reserved for Scheduled Caste category, may be, a person belonging to Scheduled Caste community as group leader of a DWACRA group, apply. But, it cannot be said that the petitioner has any right for being continued permanently and the said vacancy cannot be filled up on permanent basis by issuing a notification. The vacancy was earmarked for Scheduled Caste community by following the roaster system. The Writ Petition is devoid of merits and is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. No order as to costs.

13-11-2006

prk